

CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date:

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS					
<p>W. R. McClure, Kenneth Zweigach, E. J. Cox, Loyd Row, Bobby J. Richards, Ernest L. Rowe, and R. S. Allen, as members of a class within the meaning of Rule 23 of the FRCP</p> <p>VS</p> <p>Associated Milk Producers, Inc., and Carnation Company</p>		<p>For plaintiff:</p> <p>Jerry Reed and B. Hayden Crawford Crawford, Rizley & Prichard 1414 First National Building Tulsa, Okla. 74103 587-1128</p> <p>For defendant:</p> <p>Charles H. Marsh Charles H. Marsh (Carnation) Robt. Davidson Houston, Klein & Davidson Home Fed. Bldg., Tulsa</p> <p>Stuart H. Russell (AMP, Inc.) First Natl Bnk Bldg., Okla. City, Okla. 73012</p> <p>John Chernauskas (Dept. Justice)</p> <p>Arent, Fox, Kintner, Plotkin & Kahn 1100 Federal Bar Building 1815 H. Street, N. W. Washington, D. C. 20006</p>					
STATISTICAL RECORD	COSTS			DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 1-7-71	Clerk			12-29-70	Reed	15 00	
				12-31-70	C/D #29		15 00
J.S. 6 mailed 7-1-71	Marshal						
Basis of Action: Sherman Act Antitrust	Docket fee						
	Witness fees						
Action arose at: Tulsa	Depositions						

DATE	PROCEEDINGS	Date Order or Judgment Noted
12-29-70	Complaint, filed. b x summons issued x	
1-5-71	Return on service of summons, filed. Served Associated Milk Producers by serving The Corp. Co. at Oklahoma City, Okla, on 12-30-70. (\$4.00) ds	
1-5-71	Return on service of summons, filed. Served Carnation Co. by serving Bob Davidson, attorney, at Tulsa, Oklahoma on 12-30-70. (\$3.00) ds	
1-18-71	Hearing on TRO set on Monday, 1-18-71 at 10:50 A.M. (AEB-J)h	
1-18-71	Motion to enlarge time to answer 60 days filed by AMP, Inc. h	
1-18-71	Brief in support of motion to enlarge time filed by AMP, Inc. h	
1-18-71	Hearing held on Application for Temporary Restraining Order against Carnation Company. Parties represented. Statements made. Plaintiff files Application for TRO with affidavit of E.J. Cox attached. Motion of Assoc. Milk Prod., Inc. to enlarge time granted for a period of 30 days to answer complaint. Def. AMPI granted 5 days to answer application for TRO. Hearing on application for TRO to be continued to Monday, January 25, 1971 at 10:30 A.M. Check of Carnation Co. to be filed with Clerk for deposit at determination of TRO. (AEB-J)h	
1-18-71	Defendant's response to application for temporary restraining order. filed. r	
1-18-71	Defendant, Carnation Company's motion to make additional party defendant, filed. b	
1-18-71	Brief in support of motion to make additional party defendant, filed. b	
1-19-71	Ordered by the Court that the plaintiffs and AMPI, defendant respond to defendant Carnation Company's motion to make additional party defendant, with brief, within 10 days from date. (Allen E. Barrow-Judge) b	
1-19-71	Order sustaining Defendant, Associated Milk Producers, Inc.'s, motion to enlarge time, and granting an additional 30 days within which to respond to complaint, filed. (AEB-J) ds <i>copies mailed</i>	
1-19-71	Motion of deft. Carnation Co. for extension of time to file responsive pleading, filed. m	
1-20-71	Order granting deft. Carnation Co. 15 days from 1-19-71 to file responsive pleading, filed. (AEB-J)m (copies mailed)	
1-25-71	Response of Defendant, Associated Milk Prod., Inc., filed	
1-25-71	Brief in support of Response of Defendant, Assoc. Mil Prod. Inc., filed. h	
1-25-71	Opposition to Injunctive Motion to Make Richard E. Arnold an Additional party defendant, and Opposition to Injunctive Relief requested in the complaint filed. h	
1-25-71	Further hearing held on application for TRO against Carnation Co. Parties present and represented. Statements made. It is ordered by the court that application for TRO is overruled. Atty Jerry Reed will advise the court whether he requests additional hearing for Preliminary Injunction. Request to amend motion for additional Party defendant by interlineation granted. Atty Jerry Reed granted 3 days to file brief on question of dismissing Carnation Co. as defendant. Atty Robt. Davidson granted 3 days to file brief on question of waiving Dept. of Agriculture as added defendant. Carnation Co.'s request for release of attached check to Market Administration is granted, and it may be withdrawn from Celrk's office. Case to be passed at request of attorney for plaintiff. (AEB-J)h	
1-29-71	Dismissal as to Carnation Co., only filed by plaintiff. h filed and entered.	
2-17-71	Motion of defendant to dismiss, for a more definite statement or, alternatively, to strike, filed. ds	
2-17-71	Memorandum in support of motion to dismiss, for a more definite statement, or, alternatively, to strike, filed. ds <i>Letter written</i>	

(over) Continued

DATE	PROCEEDINGS	Date Order or Judgment Noted
2-17-71	Order overruling Carnation Company's Motion to make additional party Defendant, filed. (AEB-J)r <i>Mailed Copies to attys</i>	
3-1-71	Plaintiff' Reply to Defendant's Rule 12 Motions - Reply to Motion to Dismiss. filed. r	
3-1-71	Interrogatories by Plaintiff. filed. r	
3-23-71	Motion of defendant to extend time to respond to interrogatories, and supporting memorandum, filed. ds	
4-5-71	Defendant, Associated Milk Producers, Inc.'s, objections to interrogatories, filed. ds	
4-23-71	Supplement to pltfs' reply to def't's motion to dismiss, filed. m	
5-19-71	Defendant's response to supplement to plaintiffs' reply to defendant's motion to dismiss, filed. ds	
6-3-71	Stipulation of Dismissal filed. h <i>order to Judge</i>	
6-4-71	Order of dismissal, filed and entered. (AEB-J) ds <i>Copy, mailed all attys</i>	

DATE	PROCEEDINGS	Date Order or Judgment Noted